

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Texas

2012 MAY 16 AM 11:57

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXASBY MC
DEPUTY

United States of America

v.

Armando Jesus GARCIA

Case No.

12-2520-RFC

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.


On or about the date(s) of May 8, 2012 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:*Code Section*
18 USC section 2252(a)(2)*Offense Description*
Receipt of Material Involving the Sexual Exploitation of Minors

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.
Complainant's signatureJustin A. Tice, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 05/16/2012
Judge's signatureCity and state: El Paso, TexasRobert Castaneda - U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

On May 15, 2012, at approximately 6:20 a.m., U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) Special Agents executed a federal search warrant at a residence located at 3741 O'Keefe Drive, El Paso, Texas 79902.

Department of Public Safety Texas Ranger Kevin Wright interviewed one of the adult male residents identified as defendant Armando Jesus GARCIA. GARCIA was advised of his Miranda rights, waived those rights, and agreed to speak with Ranger Wright. While being interviewed, GARCIA confessed that he downloaded child pornography on his laptop computer using Frostwire. GARCIA told Ranger Wright that he used the term "pedo" to search Frostwire for videos of underage females engaged in sex, and GARCIA knew the term "pedo" to mean "pedophilia." GARCIA admitted to Ranger Wright that he views and masturbates to child pornography. GARCIA described one child pornography video which he had downloaded as involving a fat man with a black mask engaged in sexual activity with a 10-year old girl. Subsequently, an HSI Computer Forensics Agent (CFA) identified a video matching that description on GARCIA's laptop computer. HSI CFAs also identified multiple videos with file names indicative of child exploitation on GARCIA's laptop computer.

HSI Special Agent (SA) Justin Tice and an HSI CFA selected three of the files located on GARCIA's computer, viewed them, and determined they were videos containing material involving the sexual exploitation of children.

The first file was a video titled: "(Hussyfan) (pthc) (r@ygold) Preteen Asian ALICA, 11yo Philippine (Filipina) child prostitute XXX HC Pedo ptsc(2).mpg" and was downloaded on May 8, 2012 through Frostwire. This video, with a runtime of about 16 minutes and 41 seconds, matches the video described by GARCIA. The video does involve a large white male wearing a black mask and a pre-pubescent white female who appears to be between 10 and 12 years of age. The video is described as follows: the adult male has the female child undress him and then undresses herself; the adult male performs oral sex on the female child; the female child then performs oral sex on the adult male; the adult male places what appears to be lubricant inside the child's anus with his fingers; the adult male then penetrates the female child's vagina and anus with his penis; and the video ends after the adult male ejaculates into the female child's mouth.

Also downloaded on May 8, 2012 and reviewed by SA Tice and an HSI CFA were videos titled: "T-34336776 - 6yr Girl Best Vicky BJ & Handjob with sound (r@ygold pedo reelkiddymov underage illegal Lolita daughter incest xxx oral handjob).mpg" and "T-15662946 - Pedo - (PTHC) 10Yo Kelle And 11 Yo Girlfriend.mpg."